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Letter dated 18 May 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Armenia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government I have the honour to transmit herewith a memorandum from the Ministry of Foreign Affairs of the Republic of Artsakh (Nagorno Karabakh Republic) regarding the state of the historical and cultural monuments in Artsakh and Azerbaijan (see annexes).

I kindly request that the present letter and its annexes [1] be circulated as a document of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Mher **Margaryan**
Chargé d'affaires a.i.

[1] Annex II is being circulated in the language of submission only.

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Annex I to the letter dated 18 May 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Armenia to the United Nations addressed to the Secretary-General

Memorandum of the Ministry of Foreign Affairs of the Republic of Artsakh on the state of the historical and cultural monuments in Artsakh and Azerbaijan

In connection with the memorandum regarding historical monuments in the territory of Artsakh (Nagorno Karabakh), which was distributed by Azerbaijan in various international organizations, including the UN, OSCE and the Council of Europe, the Ministry of Foreign Affairs of the Republic of Artsakh (Nagorno Karabakh Republic) considers it necessary to state the following:

All architectural monuments in the territory of Artsakh, including places of worship, are the property and heritage of Artsakh. They are included in the State Register of Immovable Historical and Cultural Monuments and are under state protection. Among them are around five dozen Islamic monuments. Most of them are dated to the second half of the 18th century onwards. It should be noted that a significant part of the Islamic monuments of Artsakh were built either directly by Armenian architects or under the influence of Armenian architectural traditions.[2]

Protection and use of cultural and historical monuments in the territory of Artsakh are defined by the Constitution of the Republic of Artsakh, the law of 1999 "On the Protection and Use of Immovable Monuments of History and Culture and the Historical Environment", as well as other laws and legal acts.

According to article 7 of the above law, political, ideological, religious, racial and national discrimination in the area of protection and use of monuments is prohibited. Being a responsible member of the international community and attaching great importance to the preservation of cultural and historical monuments, the Republic of Artsakh, on a voluntary basis, undertook commitments stemming from the European Cultural Convention, the European Convention on the Protection of the Archaeological Heritage and the European Convention for the Protection of the Architectural Heritage of Europe. The corresponding instruments of ratification were sent to the Secretary General of the Council of Europe on 22 December 2014 and 30 June 2015.

The Government of the Republic of Artsakh allocates funds annually for the preservation of historical monuments, regardless of their origin. Persian Kismaghinlu Mosque in Shushi has been renovated in late 1990s, the Lower Mosque was restored in 2005 and the Upper Mosque with its madrasa is in the process of restoration. The aim is to completely restore the Upper Mosque by securing its original appearance, renovating the adjacent area and carrying out works aimed at capital strengthening of the madrasa building located close to the Mosque. During the war the Mosque suffered significant damages. It was partially restored in 1990s and in 2008–2009, in particular the roof was restored. The restoration works have been carried out with the involvement of international experts in archeology and Islamic art. These cultural monuments are open to the public, tourists and international art experts, despite the

[2] Along with numerous Christian monuments, there are a number of Muslim structures in the territory of Artsakh, including forts, palaces, mosques, mausoleums, caravanserais, which bear pronounced signs of Armenian architectural traditions. Among these buildings of special interest are the mausoleum at the village of Khachen-Dorbatly with vault resembling a church dome, mosque in the village of Karghabazar repeating the type of single-nave Armenian churches, and Karghabazar caravanserai with three arched vaults of the main hall, built on the principle used in Armenian churches, etc.

fact that Azerbaijan tries, in every possible way, to prevent foreign nationals from traveling to Artsakh, including with a view to making it easier to impose propaganda and fake news about Artsakh on the international community.

The authorities of the Republic of Artsakh are committed to the preservation of archaeological heritage. Archeological excavations in the territory of Artsakh are carried out with the participation of leading foreign experts. In particular, a team of international experts from Armenia, the United Kingdom, Spain and Ireland took part in the study of the cultural layer of the Azokh cave, using the most advanced technologies. Based on the results of the studies, a book titled "The Azokh Cave and the Caucasian Corridor"[3] was published, which included articles by 15 authors. This work was published by Springer Science+Business Media, a prestigious global publishing company specializing in the production of science books and journals.

Besides false allegations, Azerbaijan did not present an evidence of deliberate destruction by state authorities of Artsakh of a mosque or any other place of worship. The allegations of the Azerbaijani side about the destruction or alteration of the appearance of Islamic monuments and their ethno-cultural features in the territory of Artsakh with the aim of proving its belonging to the Armenian heritage are not only completely groundless, but also have no rational. The presence of Armenians since ancient times in the territory of Artsakh and its belonging to historical Armenia is a well-known fact that does not require additional evidence.

Moreover, the accusations of Azerbaijan are a reflection of its own approaches and actions, which Baku is trying to attribute to the Armenian sides. The politicization of history, historical negationism, falsification and revision of Azerbaijan's own history at the expense of neighbouring people have seriously damaged the cultural heritage of the South Caucasus as a whole. There is overwhelming evidence of targeted and deliberate destruction by the authorities of Azerbaijan of all traces of Armenian civilization in the territory of the republic.

There were about 11,000 monuments of Armenian cultural heritage in the territory of the former Azerbaijani SSR, in respect of which the Azerbaijani authorities for decades have implemented a systematic policy aimed at:

- their concealment in official publications, reference books and guidebooks;
- falsification of their ethno-cultural and religious affiliation;
- their deliberate destruction;
- conversion of Armenian Christian churches into secular or Muslim buildings;
- obstruction of restoration work.

As a result of this policy, hundreds of churches, chapels and cemeteries were destroyed, primarily in Artsakh and Nakhijevan.

There were at least 1,700 historical and architectural monuments, including fortresses, monastery complexes, churches and chapels, bridges, palace buildings, khachkars (cross-stones), as well as over 1,000 pieces of wall and gravestone inscriptions in ancient Armenian language[4] only in the territory of the Nagorno-Karabakh Autonomous Oblast, established just on a small part of Artsakh.

[3] Fernández-Jalvo, Y., King, T., Yepiskoposyan, L., Andrews, P. (Eds.), Azokh Cave and the Transcaucasian Corridor, Vertebrate Paleobiology and Paleoanthropology Series, ISBN 978-3-319-24924-7, Springer, 2016.

[4] Sh. Mkrtchyan, "*Historical and architectural monuments of Nagorno-Karabakh*". Yerevan, 1989, p. 5.

Long before the beginning of the Karabakh movement the struggle of the Azerbaijani authorities against Armenian cultural and historical monuments became part of a general policy of terror and intimidation of the Armenian population of Artsakh. Serious damage was inflicted on Armenian cultural and historical monuments also during the "Ring" operation aimed at the deportation of the Armenian population of Artsakh, as well as the subsequent war, unleashed by Azerbaijan against the Republic of Artsakh. During active hostilities, both settlements and churches were regularly exposed to shelling and missile and bomb strikes by the Azerbaijani army. In particular, in the summer of 1992, the 13th century Gandzasar Monastery was bombed from combat aircraft, which resulted in the destruction of several buildings of the church complex.[5]

During the period when Artsakh was part of Soviet Azerbaijan, as well as during the years of Azerbaijan's military aggression against the Republic of Artsakh, 167 churches, 8 monastic complexes, 123 historical Armenian cemeteries were ruined, blown up and completely destroyed. Two and a half thousand highly artistic khachkars (cross-stones) and more than 10,000 tombstones were broken and turned into building material.

Azerbaijan continues its destructive policy in the territories still under its occupation, including Shahumyan region and eastern parts of Martakert and Martuni regions of Artsakh.

Moreover, during peacetime and far from the conflict zone, the Azerbaijani authorities completely or partially destroyed all Armenian cultural and historical monuments of Nakhijevan, where until the end of the 20th century there were 218 Armenian Christian monasteries, churches and chapels, and more than 4,500 khachkars (cross-stones) and, at the same time, only 6 mosques.

Throughout the 20th century, especially after the transfer of the Armenian Nakhijevan to the jurisdiction of Soviet Azerbaijan, a policy of complete eradication of the Armenian ancient cultural heritage in the region was carried out.

In 1998–2005, the Azerbaijani authorities completely destroyed the cemetery of Old Jugha with over 3,000 medieval khachkars (cross-stones), which were broken with the use of heavy construction equipment. The territory of the cemetery was turned into a military shooting range. There is ample evidence, including photos and videos, as well as satellite images of the American Association for the Advancement of Science,[6] showing the destruction of khachkars in Old Jugha.

Azerbaijan rejected all attempts by the European Parliament and the Parliamentary Assembly of the Council of Europe (PACE) to send a fact-finding mission to Nakhijevan, as well as ignored the resolution of the International Council on Monuments and Sites (ICOMOS — UNESCO Advisory Body), which resolved to:

- Draw the attention of the Azerbaijani authorities, as a State Party to the Convention on the Protection of World Cultural and Natural Heritage, to the destruction of the Jugha cemetery and to transmit to them the concern of the international community of conservation experts,

[5] Notes from Lord Hylton, MA ARICS, resulting from a visit to Nagorno-Karabakh and Armenia 13–21 April 1998 https://publications.parliament.uk/pa/cm199899/cmselect/cmfaff/349/349ap18.htm.

[6] See https://www.aaas.org/page/high-resolution-satellite-imagery-and-destruction-cultural-artifacts-nakhchivan-azerbaijan.

- Ask the Azerbaijani authorities to facilitate the access of an expert delegation from UNESCO and/or ICOMOS in order to study the site and inform the international community of the results.[7]

It should also be noted that all restoration work of Christian architectural monuments in Azerbaijan was carried out in such a way as to destroy the traces of Armenian architecture, as well as the Armenian inscriptions.[8]

The only remaining part of the Armenian cultural heritage in Baku, which is the church of St. Gregory the Illuminator with the cross removed from it, was desecrated and turned into a book depository. Probably the only reason this church did not inherit the fate of other Armenian churches in Azerbaijan is its using for window-dressing exercises of Azerbaijani Government and imitation of "Azerbaijani multiculturalism" (see enclosure).

A systematic denial and the destruction of the Armenian historical and cultural heritage, which has long become the "norm" in Azerbaijan, has led to the fact that construction of a church is already perceived and interpreted by the Azerbaijani authorities as a violation of international humanitarian law. It is disappointing to see that Azerbaijan politicizes construction of a place of worship in the Azerbaijani-Karabakh conflict zone. There is no a single clause in international Humanitarian and Human Rights Law including the Hague Convention for the Protection of Cultural Property, referred to by the Azerbaijani side, which restricts freedom of religion including building of places of worship.

The construction of the Church of the Most Holy Virgin Mary near Mekhakavan village, Hadrut region of the Republic of Artsakh, which is fully consistent with international human rights standards, must be seen as a significant contribution to the protection of freedom of thought, conscience and religion or belief in the region. Article 9 of the European Convention on Human Rights, to which Artsakh joined unilaterally, directly defines that "everyone has the right to freedom of thought, conscience and religion".

The memorandum of Azerbaijan is a typical example of a distorted and biased interpretation by the Azerbaijani side of international law and, in particular, international humanitarian law, which, according to the Azerbaijani authorities, contains provisions restricting the freedom of religion and belief.

Azerbaijan tries to present the realization of this inalienable right, in this case the construction of a chapel, as an attempt to use a religious factor in the conflict. Armenians have been building churches for over 1700 years, long before the appearance of Azerbaijan itself. For Artsakh, the Azerbaijani-Karabakh conflict is not of a religious nature, but it is a clash of two systems of values — an aspiration to freedom and democracy, on the one hand, and an attempt to suppress by force the inalienable right of people to decide their own destiny, on the other.

It is noteworthy that such accusations are voiced by the party to the conflict, which during the active hostilities of 1991–94 tried to present the Azerbaijani-Karabakh conflict as a religious confrontation in order to attract mercenaries from Chechnya and Afghanistan, including those affiliated with various terrorist groups, to

[7] See Resolutions of the 16th General Assembly of ICOMOS http://www.icomos.org/quebec2008/resolutions/pdf/GA16_Resolutions_final_EN.pdf.

[8] In 2005, during the restoration of a church in the village of Nij, the Armenian inscriptions were removed, causing a strong protest from a Norwegian humanitarian organization, which financed the restoration work. The Norwegian side described this as an act of vandalism. The Norwegian Ambassador to Azerbaijan, Steiner Gil, rightly noted: "I regret that they have been erased... This was a chance for Azerbaijan to set an example to the whole world".
See http://news.bbc.co.uk/2/hi/europe/4336733.stm.

the war against the Republic of Artsakh. And today, Azerbaijan tirelessly propagates religious solidarity against Armenia in the Organization of Islamic Cooperation, as well as continues to speculate on the topic of religious confrontation to gain political support from Muslim countries (see Appendix 2).

Although the accusations of the Azerbaijani side contained in the memorandum do not stand any criticism, nevertheless, they must be treated with all seriousness, since dissemination of fake news is a breeding ground for radicalization of the society, as well as propaganda of xenophobia and hostility on religious and ethnic grounds towards the indigenous peoples of the region.

The Republic of Artsakh has been and remains open to international co-operation in the protection and preservation of cultural and historical heritage and expects similar openness from Azerbaijan.

Enclosure

Statements of the officials and religious leaders of Azerbaijan, presenting the Azerbaijan-Karabakh conflict as a religious confrontation and propagating religious solidarity against Armenia

Ilham Aliyev, President of Azerbaijan:

- "During a discussion of the Nagorno-Karabakh issue at a UN General Assembly several years ago Muslim countries provided us with the biggest support. We appreciate this support and still feel it today. Azerbaijan, for its part, always protects the interests of Muslim countries in all international organizations, and this policy will be continued. I am sure that the strengthening of Muslim solidarity is particularly important in the current circumstances."
  Speech by Ilham Aliyev at the meeting with ambassadors and heads of diplomatic missions of Muslim countries in Azerbaijan, August 10, 2011
  Official website of the president of Azerbaijan https://en.president.az/articles/2951

- "Azerbaijan's position is that Muslim solidarity must be strengthened and Muslim countries should provide each other with even more support. The need for this support is particularly high in issues of concern to our countries. We are seeing this support. In particular, Muslim countries support the position of Azerbaijan in the settlement of the Armenian-Azerbaijani Nagorno-Karabakh conflict."
  Speech by Ilham Aliyev at the meeting with ambassadors of the Muslim countries to Azerbaijan on the occasion of the month of Ramadan, June 22, 2015
  Official website of the president of Azerbaijan https://en.president.az/articles/15646

- "... the entire Muslim world should demonstrate unity and solidarity in connection with the Armenia-Azerbaijan Nagorno-Karabakh conflict, as it does in all other matters. Azerbaijan has made great efforts and taken serious steps to strengthen Muslim solidarity."
  Speech by Ilham Aliyev at the reception of the heads of diplomatic missions and international organizations of Muslim countries in Azerbaijan on the occasion of the month of Ramadan, June 8, 2016
  Official website of the president of Azerbaijan https://en.president.az/articles/20241

- "The UN and OIC resolutions, which clearly recognize Armenia as an aggressor, must be the main message to all Muslim countries that want to develop relations with the invader because Armenia's policy of occupation is an attack not only on Azerbaijan's religious and cultural assets, but on historic and cultural legacy of Islam in general."
  Article by Ilham Aliyev "The strengthening of Islamic solidarity is a challenge of time", published in OIC Journal, N36, February-April 2017
  Official website of the president of Azerbaijan https://en.president.az/articles/23584

- "Trying to disguise itself as a friend of Muslim countries, Armenia has destroyed mosques and religious monuments in Nagorno-Karabakh and adjacent districts. A country destroying mosques can never be a friend of Muslim countries".
  Speech by Ilham Aliyev at the Summit of D-8 Organization for Economic Cooperation, October 20, 2017

Official website of the president of Azerbaijan https://en.president.az/articles/25697

- "Armenia wants to build friendly relations with various Muslim countries. This is the greatest hypocrisy ever. Muslims of the world should know that Armenia, which has destroyed our sacred mosques, cannot be a friend of Muslim countries".
  Speech by Ilham Aliyev at OIC emergency summit on Jerusalem, December 13, 2017
  Official website of the president of Azerbaijan https://en.president.az/articles/26317

Elmar Mammadyarov, Minister of Foreign Affairs of Azerbaijan:

- "... countries that vote for a document in the Organization of Islamic Cooperation in favor of Azerbaijan tend to abstain in other organizations about the same issue. We must demonstrate solidarity".
  Joint press conference of the Minister of Foreign Affairs of Azerbaijan and Morocco, Baku, March 5, 2018
  http://en.apa.az/azerbaijan-politics/foreign-news/mammadyarov-countries-that-vote-for-a-document-in-oic-in-favor-of-azerbaijan-tend-to-abstain-in-other-organizations.html

Ali Hasanov, Azerbaijani Deputy Prime Minister and Chairman of the State Committee for Refugees and IDPs:

- "Turkey has always assisted Azerbaijan in removing heavy consequences of the Nagorno-Karabakh conflict and supported our just cause. Today the Turkish and Muslim world should jointly fight against Armenian aggressors".
  Meeting of the Azerbaijani Deputy Prime Minister and Chairman of the State Committee for Refugees and IDPs with representatives of the Turkish media, April 4, 2015
  The Azerbaijan State News Agency
  https://azertag.az/en/xeber/Deputy_Premier_Hasanov_Azerbaijani_Turkish_unity_is_historical_and_will_continue_for_centuries-843620

- "Today Turkish and Muslim world should fight together against Armenian aggressors. Unfortunately, there is injustice in the world today. In such situation, there is serious need for solidarity and cooperation of Muslim counties".
  Meeting of the Azerbaijani Deputy Prime Minister and Chairman of the State Committee on deals of Refugees and IDPs, with Turkish Extraordinary and Plenipotentiary Ambassador Erkan Ozoral, November 25, 2016
  http://refugee.gov.az/en/news/496.html

Ali Hasanov, head of the Public and Political Affairs Department at the Azerbaijani President's Administration:

- "The political events that shake the whole Arab world, as well as the Palestinian national struggle for independence, military operations in Syria, military aggression of Armenia against Azerbaijan and the Nagorno-Karabakh conflict, and other such problems are the necessary significant factors for ensuring sustainable peace and security in Islamic world, which impedes sustainable development as well as **for mobilizin**/ our efforts for the single purpose".
  Speech by Ali Hasanov at the 10th Session of the Islamic Conference of Information Ministers, December 3, 2014

The Azerbaijan State News Agency
https://azertag.az/en/xeber/10th_Session_of_the_Islamic_Conference_of_Information_Ministers_kicks_off_in_Tehran-815392

- "Armenia not only ignores international law and the decisions of the influential organizations, but also tries to discredit the Islamic values giving religious color for aggressive policy to substantiate its own unfair position, uses Christian solidarity factor, tries to take advantage of the islamophobic circles, leading media resources of the West and in some cases achieves this. With confidence we can say that other Muslim countries with similar cases have faced such problems. Those facts clearly confirm that there is a great need to expand mutual cooperation in the field of information, along with the strengthening of Islamic solidarity".
Speech by Ali Hasanov at the conference of Association of Journalists of OIC Member States, October 3, 2016
http://en.apa.az/azerbaijani-news/media-news/ali-hasanov-it-is-needed-to-create-single-platform-of-oic-journalists.html

Sheykhiruslam Haji Allahshukur Pashazade, chairman of the Caucasian Moslem Department:

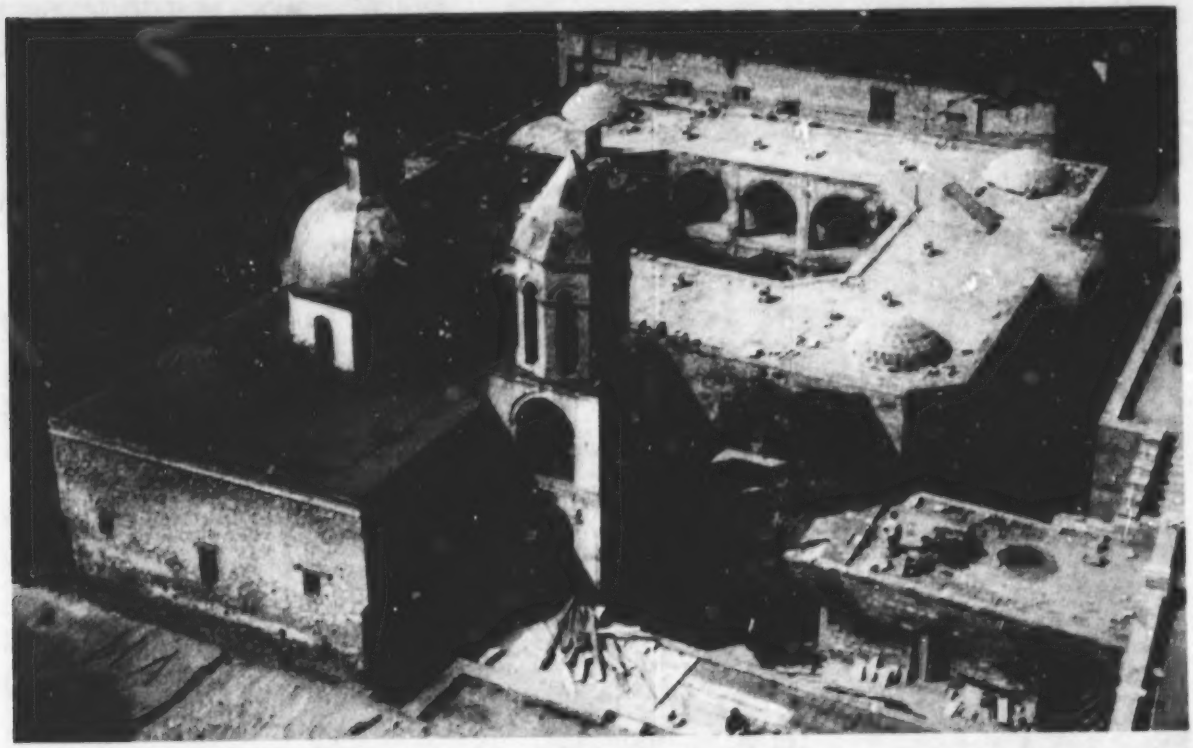
- "I am ready to announce jihad for the release of Azerbaijan's occupied territories"
Press-conference of Sheykhiruslam Haji Allahshukur Pashazade, August 23, 2006
https://en.trend.az/azerbaijan/society/860647.html

- "This problem [Nagorno-Karabakh conflict] is one of the major conflicts in the Muslim world, which is still waiting for the solution. We see that Europe and Western countries are allowing double standards towards the Muslim countries. What kind of justice can we talk about here? The Azerbaijani lands belong to the people of Azerbaijan and we urge the Muslims around the world to unite for solving the Nagorno-Karabakh problem".
Speech by Sheykhiruslam Haji Allahshukur Pashazade at the conference "Quds: A city blessed by revelation", January 29, 2018
https://report.az/en/religion/istanbul-hosts-international-conference-quds-the-city-blessed-by-revelation

Annex II to the letter dated 18 May 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Armenia to the United Nations addressed to the Secretary-General

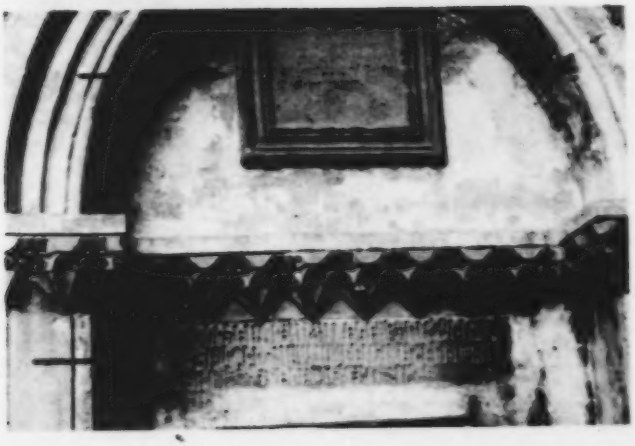
Destruction of Armenian historical and cultural heritage by Azerbaijan

Arakel Village, Hadrut region, Artsakh. Surb Astvatzatzin (Holy Virgin) Church of early XX century. The church was destroyed by the Azerbaijani Army during the occupation of the village in 1991-93.

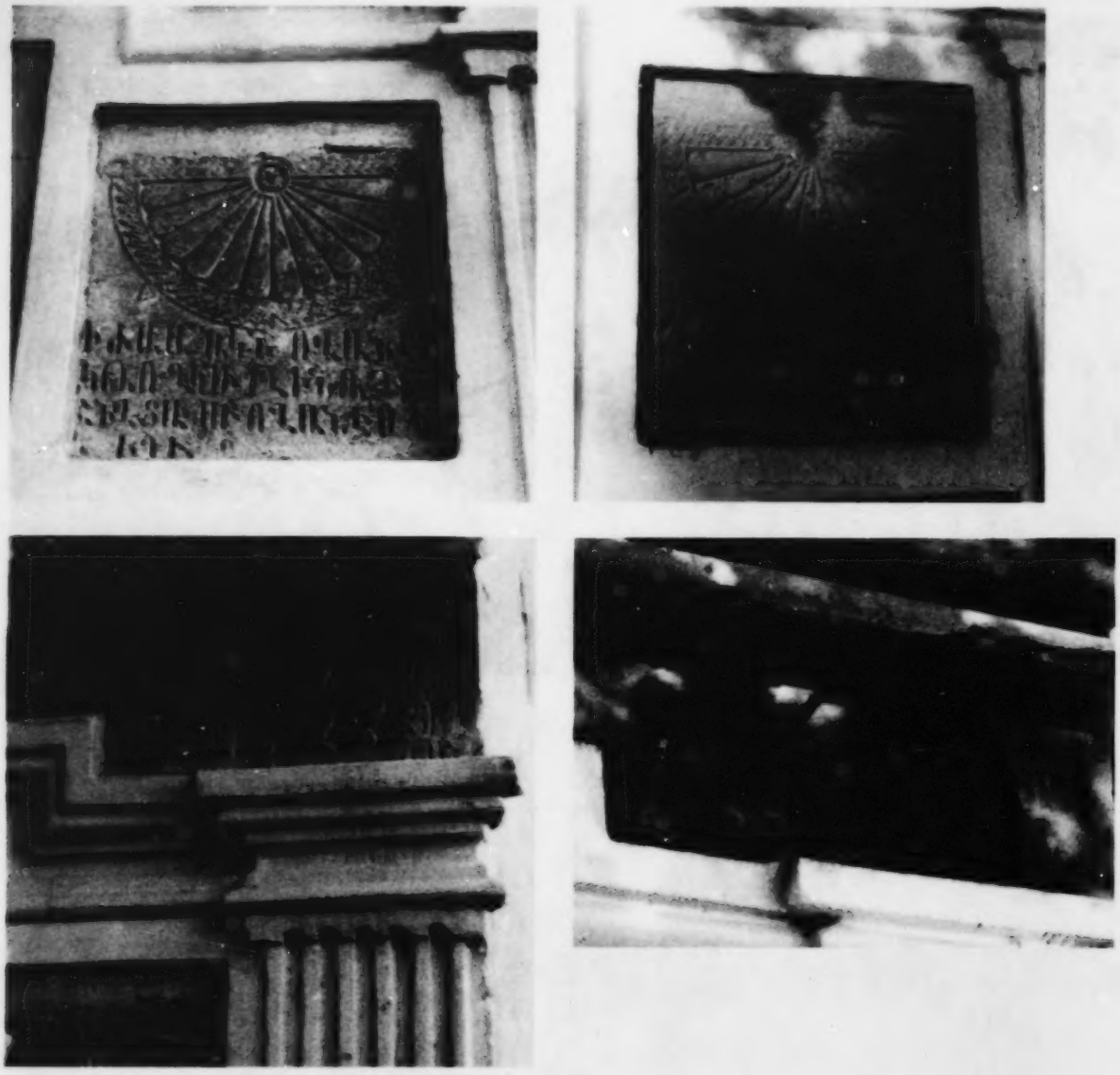


Baku, Azerbaijan. Surb Astvatzatzin (Holy Virgin) Church and caravanserai adjoining it from the west. In 1990s on the decision of the municipal authorities of Baku the Church and the second and third floors of its belfry were destroyed. The first floor was spared only to be "cut out" into a fire temple.

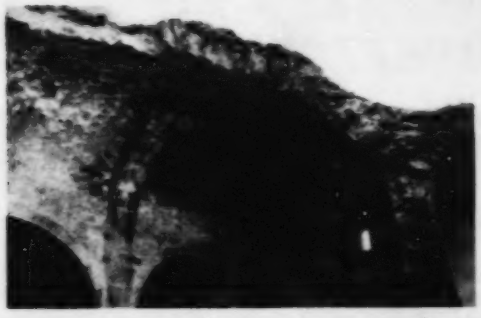
Gyulistan village, Shahumyan region, Artsakh. Surb Astvatzatzin (Holy Virgin). After occupation of the village by the Azerbaijani Army the church was blown up.



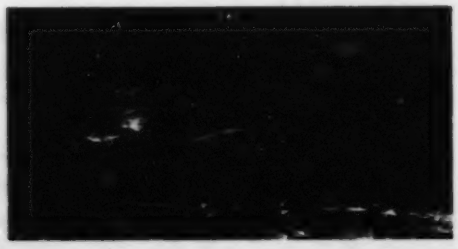
Nij village, Qabala (Kutkashe) region, Azerbaijan. St. Yeghishe (Elisha) Church and two inscriptions carved on its southern entrance tympanum in commemoration of its thorough restoration carried out by the efforts of Priest Astvatzatur Jodaniants in the 1840s (Photo of 1985). The inscriptions were completely scraped away during restoration work in the early 2000s.



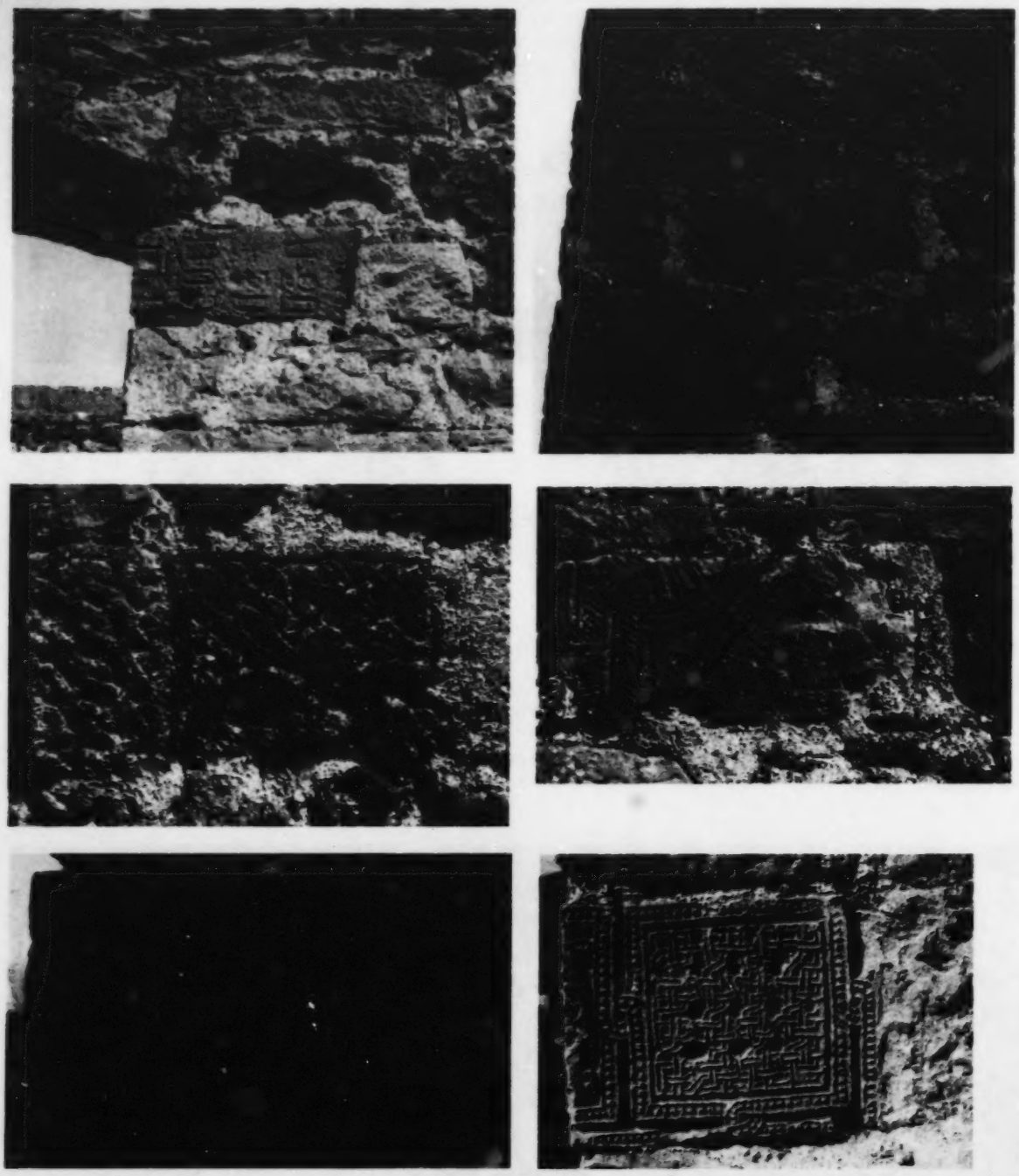
Ganja (Gandzak) city. St. Hovhannes (St. John the Baptist) Church. Inscriptions of 1633 and 1643 were deliberately scraped away in 2007. The Church was turned into a chamber music hall.



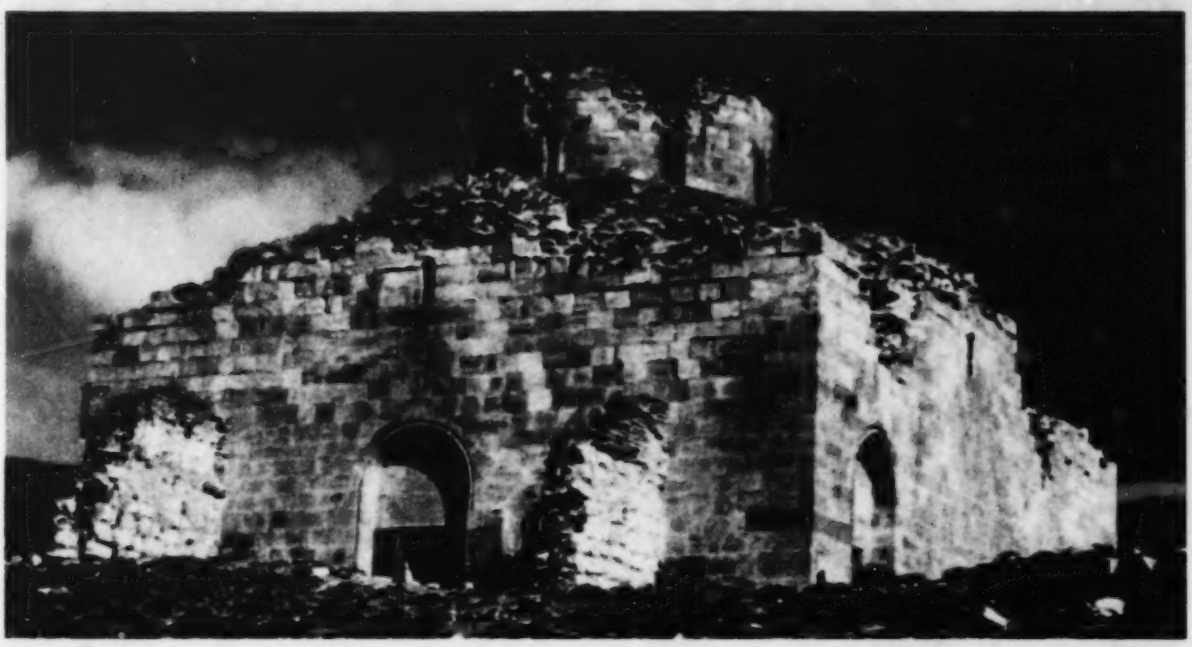
Azat (Suluk) village, Shahumyan region, Artsakh. Surb Hovhannes (John) Church. After occupation of the village by the Azerbaijani Army the church was blown up.

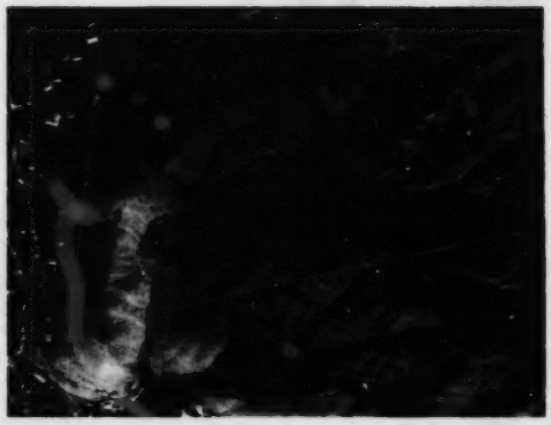


Bridge of Lalazar, Kashatagh region, Artsakh. The double-span bridge was built over the river Vorotan in 1867 by means of Simeon Lalazar. The building inscription of the bridge in Armenian was deliberately scraped.

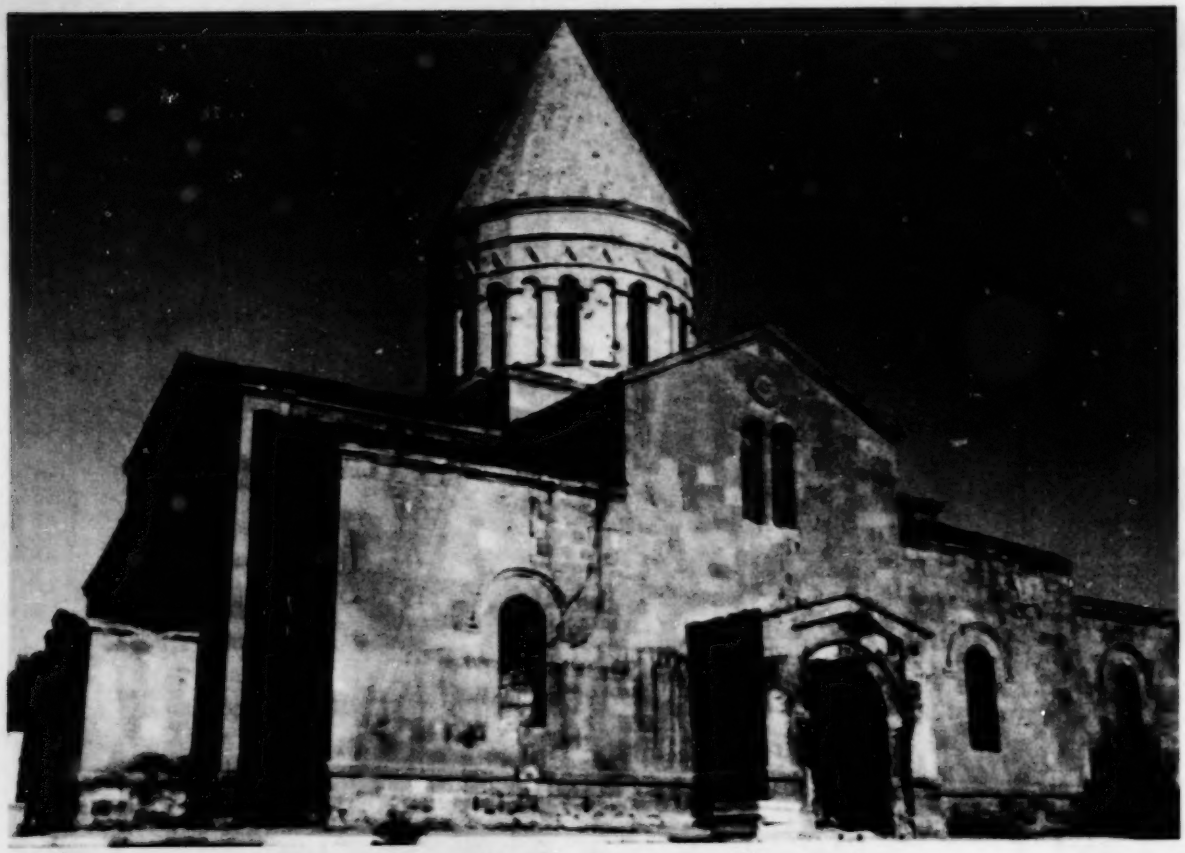


Tzar village, Shahumyan region, Artsakh. Fragments of St. Sargis Church and Mother Church of the village, destroyed in the 1950s, were used as building materials for the construction of a local Azerbaijani school.

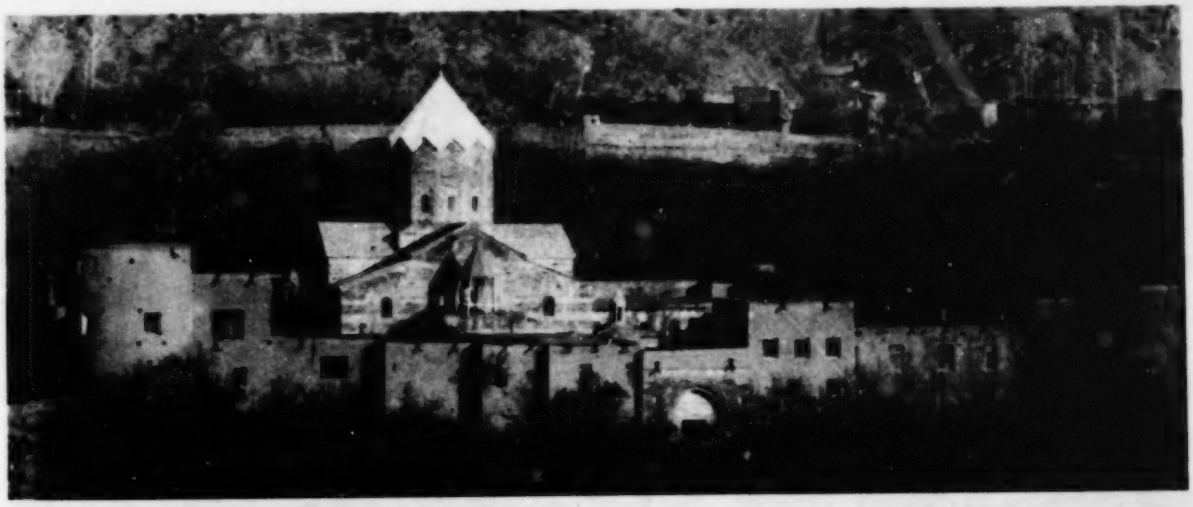




Badamly (Otzop) village, Nakhijevan. The monastery of St. Astvatsatsin (Holy Virgin) with a dome church (photo: 1980s). It was marked on the map of the USSR Armed Forces General Headquarter. The monastery was destroyed to its foundations, as evidenced by satellite image (Google Earth, 2016) of the site of the monastery.



Nakhijevan city. St. Gevorg (George) Church marked on the map of the USSR Armed Forces General Headquarter (1976). According to the satellite image of Google Earth of 2008 the church does not exist anymore.



Agulis village, Nakhijevan. St. Tovma (Thomas the Apostle) Monastery (photo of 1900-1910s) marked on the map of the USSR Armed Forces General Headquarter (1976). In the late 1990s, the monastery was completely destroyed, and in its place a mosque was built, as evidenced by satellite image Google Earth of 2011 and 2016.

Old Jugha, Nakhijevan. The historic cemetery with nearly 3,000 medieval khachkars (crosstones).

The destruction of the medieval khachkars (crosstones) of the Jugha cemetery started in the Soviet period. They were broken to pieces and used as building material. The destruction of khachkars (crosstones) continued in 1998 with renewed vigor and was completed in 2005. In 2006 the territory of the cemetery was turned into a military shooting range.

Source: "Azerbaijan out of Civilization" http://www.raa-am.com/raa/pdf_files/174.pdf